



1 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

1772

RECEIVED  
DEC 03 2003  
TC 1700

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3 APPLICANT: Durst; Almanza  
4 TITLE: ENHANCED BALLISTIC PROTECTION MATERIAL  
5 GROUP: 1772  
6 SERIAL N<sup>o</sup>: 09/884,656  
7 FILED: June 20, 2001  
8 EXAMINER: Jane Rhee  
9 DOCKET N<sup>o</sup>: 1578

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<b>CERTIFICATE OF MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed: Box Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on	
<i>11-21-03</i>	Date of Deposit
<i>Mark C. Jacobs</i>	
<i>11-21-03</i>	Date of Signature

BOX NON-FEE AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

RESPONSIVE TO THE OFFICE ACTION OF AUGUST 21, 2003

This case is being examined under the continued examination provisions in accordance with 37 CFR 1.114.

As to the claims currently in the case, as of June 7, 2002, the claims WERE 6-10. Claim 6 was canceled and replaced by claim 11 and claim 8 was canceled and replaced by claim 13 and claim 12 was added. Also claim 9 was amended.

Old: 6, 7, 8, 9, 10.

Now: 11, 7, 13, 9, 10, 12.

In a telephone conversation of November 21, 2003, at the time of creating this response, it was noted that the Examiner's clerical person had noted that the office action was in response to a communication of July 8<sup>th</sup>; namely, the Request for Continued Examination. Counsel takes but a moment to set the record straight and point out that the mailing certificate for the Request for Continued Examination was filed on June 30<sup>th</sup> if the mailing certificate date is honored

1           The duplicate limitation of claim 13 has been canceled but the single statement of the  
2 limitation has been retained. In claim 12, "drywall" has been replaced with "gypsum board".  
3 Foundation for this latter term which is synonymous is found several places including pages 13  
4 and 14. Claim 11 has been rejected as unpatentable over the admitted prior art in view of Klein.  
5 Applicant hereby reincorporates by reference the argument set forth commencing at page 5 line  
6 27 at Table I down to page 6 line 32 of the response set forth on June of 2002.

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